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COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

The City of Stockton is pleased to take this opportunity to offer comments on the CALFED Bay-Delta Program Programmatic EIS/EIR. Cal-Fed should note for the record that the City of Stockton is in the Delta; approximately 1/2 the City actually lies in the legally defined Delta. Stockton is directly and vitally interested in the proposed alternatives to solve the long-standing Delta problems, since several of the key decisions will affect the availability of water supplies for the City of Stockton and the water quality of the San Joaquin River. The City would like to commend the CALFED team for its efforts in addressing difficult issues and assembling the environmental information presented in the EIS/EIR.

GENERAL COMMENTS

The City of Stockton generally supports the "Common Elements" as justifiable and very much needed if our Delta Environment is to be preserved. The City does, however, have concerns that the impacts upon the Stockton area caused by several of the alternatives proposed by CALFED have not been defined or assessed in the EIS/EIR. The City also has concerns that certain issues have not been analyzed completely or consistently. These concerns are:

1. The EIS/EIR does not adequately address the management of flows and water quality of the San Joaquin River. None of the alternatives or subalternatives address their impacts on water quality in the San Joaquin River. We consider this to be a significant omission in the analysis of Delta water quality problems, since the San Joaquin River has a major impact on the Delta. These impacts can be determined by use of the water quality model of the San Joaquin River prepared for the State Water Resources Control Board by the City of Stockton. The flow reductions on the San Joaquin River main stem proposed in

COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

sub-alternative 3I will significantly adversely affect water quality in the Stockton area. These impacts have not been identified or evaluated. A complete Bay-Delta solution must consider these water quality impacts and the interests of the City of Stockton. We are prepared to work with CALFED to resolve this issue and can suggest management solutions that will improve San Joaquin River water quality.

More specifically, the City of Stockton has a great concern with the issue of dissolved oxygen (D.O.) levels in the San Joaquin River. Seasonally low D.O. levels have been perceived to be a problem in the River for many years. This problem is caused by many factors, including diversions and reverse or stagnant flows; nonpoint sources and nutrient loading causing algal blooms; high water temperature; dredging; and the configuration of the Stockton ship channel. The approach to resolution of this problem has, however, consisted of little more than ever-increasing regulation of Stockton's Regional Wastewater Control Facility. This narrow minded approach to regulation has reached a point where costs no longer justify the benefits.

CALFED provides the ideal opportunity to address the D.O. issue in a positive and cost-effective way. Stockton strongly supports the principles of watershed management and adaptive management. These approaches are essential with respect to D.O. and other water quality factors in the San Joaquin River. We are greatly concerned that an opportunity not be lost by Cal-Fed to resolve this issue due to an incomplete understanding of the factors which affect D.O. We are also very concerned about certain statements made in the EIR/EIS (e.g., Water Quality Program pp. 17-18) which, being inconsistent with a watershed management approach, suggest that D.O. should be dealt with by the "business as usual" approach of more and more expensive wastewater treatment by the City of Stockton alone. With these comments, we enclose a copy of a report prepared for the City of Stockton by Jones & Stokes Associates, *Potential Solutions for Achieving the San Joaquin River Dissolved Oxygen Objectives*, dated June 1998. The report demonstrates that the operable Old River Barrier (already included in CALFED alternatives), watershed management, and adaptive management principles, rather than wastewater treatment alone, are necessary to be applied to improve D.O. Stockton hopes to discuss this report with CALFED staff, and believes this approach represents a great opportunity for CALFED to further its objectives.

2. The Draft EIS/EIR did not address the impacts of the various alternatives on the water supplies available to the Stockton metropolitan region. Specifically, the EIS/EIR fails to address the adverse impacts of the use of Stanislaus River water, which was previously

COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

committed to the Stockton area, for dilution of pollution discharged into the San Joaquin River upstream of the City.

3. CALFED should specifically consider use of the Eastern San Joaquin County groundwater basin for offstream storage as a groundwater storage alternative.

4. There is little or no reference in the EIS/EIR to the need to adhere to existing State Water Code provisions dealing with Delta, Area of Origin, County of Origin, or Watershed of Origin protections. In order to protect the water supplies of all regions of the State for the future, any program adopted by CALFED must conform to these laws.

5. CALFED programs discuss a very significant transformation of existing Delta lands which are now in agricultural production to non-agricultural uses. If these programs are implemented as described, there will be a very significant detrimental economic impact upon the economy of our area. This impact is not adequately evaluated or discussed.

6. It appears that a major objective of the CALFED process is to ensure that southern California and the other Delta exporters receive an uninterrupted, secure source of water from the Delta. The needs and concerns of residents and water users in the Delta have not yet been adequately addressed in this process. The Delta will not be "fixed" unless the needs and interests of the people who live in the Delta have been addressed.

7. All of the CALFED alternatives include up to 3 million acre feet of surface storage and up to 250,000 acre feet of groundwater storage upstream of the Delta. The City of Stockton strongly supports these aspects of the alternatives, and suggests that CALFED investigate including the Auburn Dam and San Joaquin County's Mokelumne River project among the surface storage alternatives, and utilization of the Eastern San Joaquin County Groundwater Basin for groundwater storage. The EIS/EIR would be far more useful if the storage components were identified with greater specificity and their likely environmental impacts addressed, even if at a programmatic level.

8. Alternatives 2 and 3 include a 10,000 to 15,000 cfs screened intake near Hood for either through Delta, or Isolated Delta conveyance. Should this intake prove to be viable, the City of Stockton, which is partially located within the Delta and which has filed a water rights application to divert water from the Delta, would request that capacity in this intake be made available to the City of Stockton to facilitate our access to Delta water and reduce the impact upon the environment of a second Delta intake. The City of Stockton would

C-012490

COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

further request consideration from CALFED of providing the City access to either the isolated Delta Conveyance or the improved thru-Delta conveyance facilities. However, the impact of this change in existing Delta hydrology on flow and water quality of the San Joaquin River has not been assessed in the EIS/EIR.

9. The State Water Resources Control Board's 1995 Bay/Delta Water Quality Control Plan contains objectives for dissolved oxygen (DO) in part of the Delta. Several factors contribute to low DO in the San Joaquin River near Stockton, including low flows, reverse flows, dredging operations, and upstream CBOD sources. The ability to achieve applicable DO standards in the Water Quality Control Plan is directly tied to the presence of export pumping for the CVP and SWP. The City of Stockton is concerned that no assessment of the impact of the three alternatives on the WQCP objectives for the San Joaquin River is included in the EIS/EIR.

10. All three CALFED alternatives include the construction of three operable flow control barriers, and an operable fish control barrier at the head of Old River. The City of Stockton strongly supports these measures to improve the quality of the San Joaquin River. We have been working very diligently with all parties concerned to insure that these measures are implemented so that more of the natural flow of the San Joaquin River can be directed through Stockton. However, the City of Stockton is adamantly opposed to subalternative 3I that includes two flow diversions out of the lower San Joaquin River. Apparently, the only consideration used in including this alternative was to insure sufficient flow to the federal and state export pumps. As Stockton has pointed out frequently, one of the main factors which adversely impacts water quality, especially dissolved oxygen in the Stockton area is reverse flow in the river. These two diversions will exacerbate poor water quality conditions on the lower San Joaquin River, and therefore adversely affect Delta water quality for the benefit of the exporters.

11. The City strongly endorses the Action Measures proposed to deal with Agricultural Drainage and Runoff, as set forth in pages 20 to 24 of the Water Quality Program Technical Appendix. The City particularly agrees that salinity in the San Joaquin River must be reduced by source control and treatment of agricultural surface and subsurface drainage in the San Joaquin River Region. The City agrees such control and treatment, not dilution, is the proper solution to the salinity problems in the River. In particular, use of water from New Melones Reservoir, that might otherwise serve drinking water purposes in the City of Stockton, to dilute agricultural or refuge return flows draining into the San Joaquin River is a waste and unreasonable use of water under the California

C-012491

COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

Constitution, Article 10, Section 2. It is vital to the City that CALFED actually make these action items an essential part of the CALFED program.

SPECIFIC COMMENTS

Executive Summary, p.8. "Any problem currently associated with the management and control of water, or the beneficial use of water within the Bay-Delta (including both environmental and economic uses) is within the scope of the [CALFED] Program if at least part of the problem occurs within the Bay-Delta or is directly associated with the conditions in the Bay-Delta." Because the City of Stockton is located partially within the Delta, its water supply problems and deficiencies are within the scope of the CALFED Program and therefore must be evaluated.

Programmatic EIS/EIR, Chapter 8.2 Urban Resources.

- p. 8.2-11. The City of Stockton's water rights application, No. 30531, is incorrectly described. The total amount sought by the application is 125,900 acre feet by 2050. The amount needed by the City will build up over time. In addition to recovering an amount of water equal to that discharged by the City's Regional Wastewater Control Facility, the application seeks "such additional amounts required to meet the need for supplemental supplies for the Stockton area." The modeling done by CALFED should include potential diversions by the City from the San Joaquin River within the Delta.

- p. 8.2-12. The statistics provided in this table for water use in the Stockton metropolitan region are not accurate. In 1990, the Stockton metropolitan region used 53,118 acre feet or 17,308 million gallons of water, of which, 17% was surface water. Also, there were 66,216 service connections. The cost of surface water to the Stockton metropolitan region in 1990 was $397 per acre foot.

- p. 8.2-32. With regard to municipal water supply economics, the EIS/EIR states that no judgment can be made about the potential benefit-cost relationship of the alternatives because no information on costs of the CALFED alternatives is developed or used in the analysis. Such information should be developed in the upcoming EIS/EIR which will identify a draft preferred alternative. Cost-benefit analysis is a key and essential part of alternatives analysis.

- p. 8.2-33. Contra Costa Water District is not typical of other M&I suppliers within the

C-012492

COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

Delta, such as the City of Stockton.

- p. 8.2-34. Allocating new CALFED M&I water to CVP and SWP users based on their share of total contract water ignores the differences in priority between users in areas of origin and strictly export users. Moreover, it fails to first allocate water to those users who have been unable to obtain their existing contract amounts.

- p. 8.2-35, Table 8.2.3-3. Is Stockton East Water District included in CVP San Joaquin? What part of Stockton East's 75,000 acre foot contract is considered M&I water? Stockton East has allocated 40,000 of the 75,000 acre foot contract to M&I.

- p. 8.2-37. The EIS/EIR states that economic impacts in CCWD are used to represent economic impacts of the alternatives on urban resources in the Delta Region, because water supplies for other Delta providers such as Stockton would not be affected by the alternatives in ways that can be measured at this time. This is a completely erroneous statement. There has been absolutely no attempt by Cal-Fed to contact Stockton urban water providers to determine whether or not such impacts are definable (they are); thus, there has been no real attempt by Cal-Fed to analyze the true economic impacts of the alternatives to the Stockton Area.

- p. 8.2-40. The EIS/EIR considers the New Melones Conveyance Project a no action project that is expected to increase supplies for use near and within Stockton. In fact, the USBR's interim operation plan will provide water for Stockton in very few years. The USBR's most recent hydrology indicates that Stockton will receive water, on the average, in only 7 out of every 100 years.

- p. 8.2-42. Because the entire Delta analysis is based on CCWD, the Table on page 8.2-42, which purports to be a summary of impact analysis for the Delta Region, does not represent real impacts to the City of Stockton or other Delta suppliers other than CCWD.

- p. 8.2-44. The EIS/EIR states that ecosystem restoration actions are expected to have small or no effects on M&I water supplies and costs unless environmental flows reduce M&I supplies. This is precisely what has happened. Flows from New Melones originally promised by contract to Stockton East for use within the City of Stockton have been dedicated by the USBR to environmental use, causing a water supply problem to Stockton, an urban water user within and adjacent to the Delta. CALFED should assist the City in finding solutions to this water supply problem, rather than to dismiss it as not significant.

C-012493

COMMENTS BY CITY OF STOCKTON ON CALFED BAY-DELTA PROGRAM PROGRAMMATIC EIS/EIR

CALFED Phase II Storage and Conveyance Refinement Process Overview, p. 7. The Surface Storage facilities being considered should include Auburn Dam and San Joaquin County's Mokelumne River Project. As noted above, the Eastern San Joaquin County Groundwater Basin should be included in the groundwater storage projects being considered.

Thank you again for the opportunity to comment.

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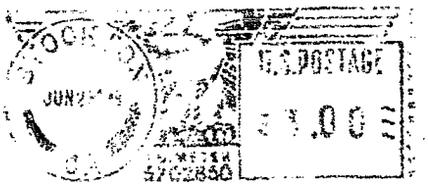
C-012494



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C-012495

C-012495